

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

JOHNNY WEBBER, and  
DEBORA WEBBER,

Plaintiffs,

v.

ROGER BUTNER,

Defendant.

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No. 1:16-cv-01169-TWP-DML

**ORDER ON DEFENDANT’S MOTION IN LIMINE**

This matter is before the Court on Defendant Roger Butner’s Motion in *Limine* ([Filing No. 53](#)). The Plaintiffs, Johnny Webber and Debora Webber, filed a response noting that they have no objection to the Motion in *Limine* “[s]o long as each party is prohibited from engaging in the same conduct.” ([Filing No. 63 at 2](#).) The Court, having reviewed Defendant’s Motion and Plaintiffs’ Response, and otherwise being duly advised, hereby **GRANTS** the Motion in *Limine*.

**IT IS THEREFORE ORDERED** that no mention, comment, question, argument, or other reference whatsoever shall be made with regard to the following:

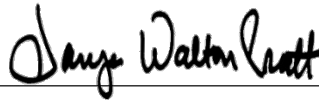
1. Lay testimony, on behalf of either party, regarding the diagnosis, prognosis, and necessity of medical treatment for the injuries allegedly sustained by Plaintiffs;
2. Testimony or evidence regarding settlement or the desire of the Plaintiffs or Defendant to settle and/or compromise rather than file suit or proceed to trial;
3. Testimony or evidence not previously disclosed by the Plaintiffs and requested by Defendant or that was not previously disclosed by the Defendant and requested by Plaintiffs;

4. Testimony or argument that Defendant could have obtained a medical examination of either Plaintiff under Trial Rule 35;
5. Testimony and opinions of expert witnesses not previously disclosed by either the Plaintiffs or Defendant;
6. Testimony or argument that the Defendant filed a Motion in *Limine* in this matter.

The parties are further **ORDERED** to instruct and caution their clients and witnesses regarding this Order in *Limine*.

**SO ORDERED.**

Date: 1/3/2018



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TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

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